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		EGGTALLA RED DIVENTAD	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNET BOCKET NO.	CONFIRMATION NO.	
09/( 80,208	10/06/2000	Harold A. Robertson	36541-0005	8654	
-	7590 07/10/2002				
Mr David J Heller			EXAMINER		
c/o Ridout & M Suite 2400	Maybee		GOLDBERG, JE	ANINE ANNE	
One Queen Str Toronto, M5			ART UNIT	PAPER NUMBER	
CANADA			1634		
			DATE MAILED; 07/10/2002	6	

Please find below and/or attached an Office communication concerning this application or proceeding.



# UNITED STATES DEPARTMENT OF COMMERCE Patent and Trade k Office

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Washington, D.C. 20231

APPLICATION NO./ FILING DATE FIRST NAMED INVENTOR / ATTORNEY DOCKET NO. PATENT IN REEXAMINATION

**EXAMINER** 

Jeanine Enewold Goldberg

ART UNIT PAPER

1655

6

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

#### **Commissioner of Patents and Trademarks**

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

The specification contains numerous sequences which are not identified by SEQ ID NO:. Appropriate correction is required.

The disk filed 10/18/00 contains errors. See the raw sequence listing error report.

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R.. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeanine Enewold Goldberg whose telephone number is (703) 306-5817. The examiner can normally be reached on Monday-Friday from 7:00am- 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Jones can be reached on (703) 308-1152. The fax number for the organization where this application or proceeding is assigned is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

g. Moldbeg

W. Gary Jones
Supervisory Patent Examiner

Technology Center 1600

	Application No.	Applicant(s)	
	09/680,208	ROBERTSON ET AL.	
Notice to Comply	Examiner	Art Unit	
	Jeanine Enewold Goldberg	1655	
OTICE TO COMPLY WITH REQUIRE	MENTS FOR PATENT APPLICA	TIONS CONTAINING	
IUCLEOTIDE SEQUENCE AND/OR AM			

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

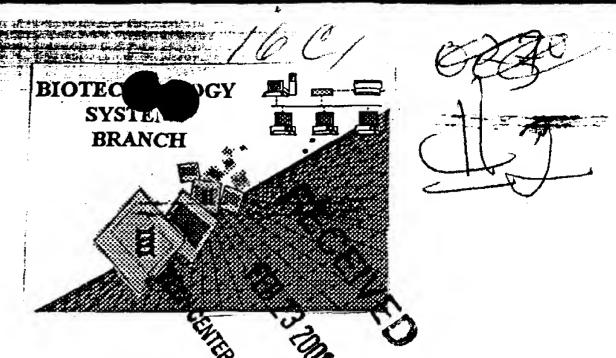
The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements
for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):
☑ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
<ul><li>☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).</li></ul>
4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
☐ 7. Other:
Applicant Must Provide:
An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
An initial or <u>substitute</u> paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).
For questions regarding compliance to these requirements, please contact:
For Rules Interpretation, call (703) 308-4216
For CRF Submission Help, call (703) 308-4212
Patentin Software Program Support
Technical Assistance703-287-0200

To Purchase Patentin Software......703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY



### RAW SEQUENCE LISTING ERROR REPORT



The Biotechnology Systems Branch of the Scientific and Technica Information Center (STIC) detected errors when processing the following completer readable form:

Application Serial Number: 09/680, 208Source: 0/PE

10-18-00 Date Processed by STIC:

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS. PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A **NOTICE TO COMPLY**

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216. PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax) PATENTIN 3.0 e-mail help: patin30help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.0 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW:

#### Checker Version 3.0

The Checker Version 3.0 application is a state-of the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 – 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.

Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2Kcompliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO). Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

Checker Version 3.0 can be down loaded from the USPTO website at the following address: http://www.uspto.gov/web/offices/pac/checker

### ERROR DETECTED SUGGESTED CORRECTION

	ERROR DETECTED	SUGGESTED CORRECTION SERIAL NUMBER: (19/056) 26.5
ATTN 1	I: NEW RULES CASES: P _ Wrapped Nucleics	The number/text at the end of each line "wrapped" down to the next line.  This may occur if your file was retrieved in a word processor after creating it.  Please adjust your right margin to .3, as this will prevent "wrapping".
2	Wrapped Aminos	The amino acid number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3, as this will prevent "wrapping".
3	Incorrect Line Length	The rules require that a line not exceed 72 characters in length. This includes spaces.
4	Misaligned Amino Acid Numbering	The numbering under each 5th amino acid is misaligned. This may be caused by the use of tabs between the numbering. It is recommended to delete any tabs and use spacing between the numbers.
5	Non-ASCII	This file was not saved in ASCII (DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text so that it can be processed.
6	Variable Length	Sequence(s) contain n's or Xaa's which represented more than one residue.  As per the rules, each n or Xaa can only represent a single residue.  Please present the maximum number of each residue having variable length and indicate in the (ix) feature section that some may be missing.
7	PatentIn ver. 2.0 "bug"	A "bug" in Patentln version 2.0 has caused the <220>-<223> section to be missing from amino acid sequence(s) Normally, Patentln would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies primarily to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
8	Skipped Sequences (OLD RULES)	Sequence(s) missing. If intentional, please use the following format for each skipped sequence:  (2) INFORMATION FOR SEQ ID NO:X:  (i) SEQUENCE CHARACTERISTICS:(Do not insert any headings under "SEQUENCE CHARACTERISTICS")  (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X:  This sequence is intentionally skipped
		Please also adjust the "(iii) NUMBER OF SEQUENCES:" response to include the skipped sequence(s).
9	Skipped Sequences (NEW RULES)	Sequence(s) missing. If intentional, please use the following format for each skipped sequence.  <210> sequence id number  <400> sequence id number  000
10	Use of <b>n</b> 's or <b>Xaa'</b> s (NEW RULES)	Use of n's and/or Xaa's have been detected in the Sequence Listing.  Use of <220> to <223> is MANDATORY if n's or Xaa's are present.  In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
11	Use of <213>Organism (NEW RULES)	Sequence(s) are missing this mandatory field or its response.
12	Use of <220>Feature (NEW RULES)	Sequence(s) //_ are missing the <220>Feature and associated headings. Use of <220> to <223> is MANDATORY if <213>ORGANISM is "Artificial" or "Unknown"  Please explain source of genetic material in <220> to <223> section.  (See "Federal Register," 6/01/98, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of new Rules)
13	Patentin ver. 2.0 "bug"	Please do not use "Copy to Disk" function of Patentin version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing).

Instead, please use "File Manager" or any other means to copy file to floppy disk.

OIPE

Does Not Comply

Corrected Diskette Needed

See PP. 6, 7

RAW SEQUENCE LISTING PATENT APPLICATION: US/09/680,208

DATE: 10/18/2000 TIME: 17:13:50

Input Set : A:\HD GENE.txt

```
5 <110> APPLICANT: ROBERTSON, Harold
             DENOVAN-WRIGHT, Eileen
             NOVANEURON, INC.
    13 <120> TITLE OF INVENTION: GENE NECESSARY FOR STRIATAL FUNCTION, USES THEREOF, AND
             COMPOUNDS FOR MODULATING SAME
    20 <130> FILE REFERENCE: 36541-0005
C--> 24 <140> CURRENT APPLICATION NUMBER: US/09/680,208
C--> 26 <141> CURRENT FILING DATE: 2000-10-06
    30 <150> PRIOR APPLICATION NUMBER: US60/158,043
    32 <151> PRIOR FILING DATE: 1999-10-07
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    38 <151> PRIOR FILING DATE: 2000-07-12
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    114 tttgaaagte tettetetgt atatteetae eetgeatttg etttgtgtgg tgetgatget 1620
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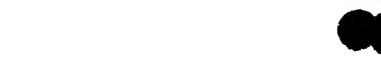




DATE: 10/18/2000 TIME: 17:13:50 RAW SEQUENCE LISTING PATENT APPLICATION: US/09/680,208

Input Set : A:\HD GENE.txt
Output Set: N:\CRF3\10182000\I680208.raw

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		•	- •		gcagagccca		
	Ų, <u> </u>				atttaaagca	_	
	•				ctgcctgctc		
			-		ccttgtgggg		
130	_				agggtactag		
					taatgtgaaa		
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162	atatgcatat	atgggtgtta	cattgcaaaa	atctctatct	ttgttctatt	cacatgctta	3060
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	_				ctacaagtga		
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206				_	aattaaaaaa	_	
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			_		aaatcaaaga	_	
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RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/680,208

DATE: 10/18/2000
TIME: 17:13:50

Input Set : A:\HD GENE.txt

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		gtgctcatgt			-		
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		cacctattta	_				
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294		tttatatgta	-	_			
296		gtcttatctt	_				
298		catttgcagt	_			-	
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302	_	tgcatatatg		_			
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		acatgaaata		-			
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RAW SEQUENCE LISTING DATE: 10/18/2000 PATENT APPLICATION: US/09/680,208 TIME: 17:13:50

Input Set : A:\HD GENE.txt

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350 tttaactctc ttcacagect geactgattt tttetggaca aattetteaa tggcatetat 5040
352 tategetttt getaetaegt ttgggteetg ttgageattt eetteaaaaa caaaaaaage 5100
354 acatttttaa aaagtcaagg ttaagatcca cctgcaaaaa aaagctgcaa tataagcgag 5160
356 gaattetagt tgtcacagga aataaaaatg tetgtteeca etataateaa tgtagaetga 5220
358 taatattatg ccagcaaata gttttgaagt cctaggcaca gtgggaggag gttttgttcc 5280
360 acgctgttca taagccaata ccccagcaaa agaccttaaa ggacaacttg taatttggga 5340
362 catteacate tgtcctctte atetgatetg geteceagtg teacteteta acaeggteet 5400
364 tagagggaca atttatecet geetetgett gatettatge atgtatetgt attetteeag 5460
366 ccatccctgg cgacctgatt tttctaaggc acccaaaact gtaagctact tcttataatc 5520
368 tataattetg ageatattag ttageetgag eetceaggat atettette eetataetea 5580
370 gtccagtttt agetgcccag aaggattcaa agetgateta egagtagate aeteetgtet 5640
372 acagettgtt ccagatettg ttteteaage eetggaagee ateageeagg taagattgta 5700
                                                                      5752
374 aaacaatccc tttctaatca tgggtgtggc ccaaagtgaa tggccggaat tc
378 <210> SEQ ID NO: 3
380 <211> LENGTH: 475
382 <212> TYPE: DNA
384 <213> ORGANISM: mouse
388 <400> SEQUENCE: 3
390 tgtatgggaa tagtgtttcc atatgatctg ttgtctggag tatatgctac atgttcattt 60
392 actgtacaaa aacccagtgc agctgatgat gcaaagcagt ctctctctgt gtacagtgcc 120
394 ccacctattt aaaaatcacg tacttgccca gaacactgtg aaacacttaa cataagaaca 180
396 aacgcagcgt ctggattctt tccaaggaga gcagctttct ccacaggaac acagtaacaa 240
398 aagaggteeg eegecateea cacceageea agacacetea gaggeeatag ggacaacete 300
400 cttgctggcc aacacctgct ggagcagggg cacaggtccc agcaactgat cctcagtgga 360
402 tgggtctgca gccaaagcct taatgggctc tcttttgaag gggaaagaaa gaatttcaag 420
404 cttatgatat ccaatattat tatagttgat gagttagtaa attccaaaaa aaaaa
                                                                      475
408 <210> SEO ID NO: 4
410 <211> LENGTH: 20
412 <212> TYPE: DNA
414 <213> ORGANISM: Artificial Sequence
418 <220> FEATURE:
420 <223> OTHER INFORMATION: Description of Artificial Sequence:primer
424 <400> SEQUENCE: 4
```





## RAW SEQUENCE LISTING PATENT APPLICATION: US/09/680,208 DATE: 10/18/2000 TIME: 17:13:50

Input Set : A:\HD GENE.txt

426	agggetgtea ateatgetgg	20
	<210> SEQ ID NO: 5	20
	<211> LENGTH: 20	
	<212> TYPE: DNA	
	<213> ORGANISM: Artificial Sequence	
	<220> FEATURE:	
	<223> OTHER INFORMATION: Description of Artificial Sequence:prime:	r~
	<400> SEQUENCE: 5	
	aaactcacgg tcggtgcagc	20
	<210> SEQ ID NO: 6	
	<211> LENGTH: 24	
456	<212> TYPE: DNA	
458	<213> ORGANISM: Artificial Sequence	
	<220> FEATURE:	
464	<223> OTHER INFORMATION: Description of Artificial Sequence:probe	
	<400> SEQUENCE: 6	
470	attaaccete actaaatget gtat	24
474	<210> SEQ ID NO: 7	
476	<211> LENGTH: 30	
478	<212> TYPE: DNA	
480	<213> ORGANISM: Artificial Sequence	
	<220> FEATURE:	
486	<223> OTHER INFORMATION: Description of Artificial Sequence: probe	
490	<400> SEQUENCE: 7	
492	cattatgctg agtgatatct tttttttcg	30
496	<210> SEQ ID NO: 8	
	<211> LENGTH: 38	
	<212> TYPE: DNA	
	<213> ORGANISM: Artificial Sequence	
	<220> FEATURE:	
	<223> OTHER INFORMATION: Description of Artificial Sequence:probe	
	<400> SEQUENCE: 8	
	gaacatgtag catatactcc agacaacaga tcatatgg	38
	<210> SEQ ID NO: 9	
	<211> LENGTH: 32	
	<212> TYPE: DNA	
	<213> ORGANISM: Artificial Sequence <220> FEATURE:	
	<pre>&lt;220&gt; FEATURE: &lt;223&gt; OTHER INFORMATION: Description of Artificial Sequence:probe</pre>	
	<2235 OTHER INFORMATION: Description of Artificial Sequence: probe <400> SEQUENCE: 9	
	cagettetee acaggaacae agtaacaaag ag	32
	<210> SEQ ID NO: 10	J 2
	<211> LENGTH: 35	
	<212> TYPE: DNA	
	<213> ORGANISM: Artificial Sequence	
	<220> FEATURE:	
	<223> OTHER INFORMATION: Description of Artificial Sequence:primer	
	<400> SEQUENCE: 10	
	ctatttcaca agagactgac cagccaataa atctc	35

1

Missing mandatory 22207 to 22237 features
to explain "n's" in the sequence See # 10
on Error Summary Sheet. Please check
entire sequence for "n's" and explain
each instance.

P 7

<210> 12

Call > 7618

Call > DNA

Call > Ca

-

- -





VERIFICATION SUMMARY

PATENT APPLICATION: US/09/680,208

DATE: 10/18/2000 TIME: 17:13:51

Input Set : A:\HD GENE.txt

Output Set: N:\CRF3\10182000\1680208.raw

L:24 M:270 C: Current Application Number differs, Replaced Application Number L:26 M:271 C: Current Filing Date differs, Replaced Current Filing Date L:572 M:258 W: Mandatory Feature missing, <220> FEATURE: L:572 M:258 W: Mandatory Feature missing, <223> OTHER INFORMATION: L:678 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:11 L:678 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:11 L:678 M:340 W: (46) "n" or "Xaa" used: Feature required, for SEQ ID#:11 L:686 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:11 L:686 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:11 M:340 Repeated in SeqNo=11 L:696 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:11 L:696 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:11 L:800 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:11 L:800 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:11 L:808 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:11 L:808 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:11 L:1068 M:258 W: Mandatory Feature missing, <220> not found for SEQ ID#:12 L:1068 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:12 L:1068 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:12 L:1068 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:12 L:1068 M:340 W: (46) "n" or "Xaa" used: Feature required, for SEQ ID#:12 L:1076 M:258 W: Mandatory Feature missing, <220> not found for SEQ ID#:12 L:1076 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:12 L:1076 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:12 L:1076 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:12 M:340 Repeated in SeqNo=12